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Letter dated 2 October 2013 from the Permanent Representative of Albania to the United Nations addressed to the President of the General Assembly

I have the honour to enclose herewith a statement of the delegation of Albania in exercise of the right of reply to the statement delivered by President Tomislav Nicolić of Serbia, on 25 September 2013, during the general debate of the sixty-eighth session of the General Assembly (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 8.

(*Signed*) Ferit **Hoxha**
Ambassador
Permanent Representative

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Annex to the letter dated 2 October 2013 from the Permanent Representative of Albania to the United Nations addressed to the President of the General Assembly

Statement of the delegation of the Republic of Albania in exercise of the right of reply to the statement delivered by the President of the Republic of Serbia on 25 September 2013, during the general debate of the sixty-eighth session of the General Assembly

Tomislav Nikolić, President of the Republic of Serbia, delivered his statement during the general debate of the sixty-eighth session of the General Assembly on 25 September 2013.

In his address, he said, inter alia, that "the Special Rapporteur of the Council of Europe, Mr. Dick Marty, a Senator from Switzerland, has proved and the Parliamentary Assembly of the Council of Europe confirmed that some of the current Albanian leaders in Kosovo and Metohija organized the kidnapping and killing of Serbs whose organs were clandestinely harvested and sold".

Regrettably, such a statement is totally untrue, biased and does not reflect any reality.

It is widely known to all, in Europe and elsewhere, as it should also be to the President of Serbia, that the report of the former Senator from Switzerland spoke of allegations and not of proofs; that the report of the Parliamentary Assembly of the Council of Europe did not, because it could not, confirm anything and it called for investigations.

When the President of Serbia speaks of proofs and there is none, when he distorts reality as per his choosing, it would be hard to take his word, as stated in his address, that the "Serbia of today and tomorrow should be trusted". When he accuses leaders of another country of crimes that no one has ever proved, it is even harder to trust words about efforts and commitments towards "reconciliation" and that his country is "committed to peace and cooperation with the neighbours", to the spirit of dialogue, as called for in his address.

For the sake of truth, the fact of the matter is that to date, no evidence whatsoever has been presented to anyone by anyone in support of the allegations raised in the report of the former Senator from Switzerland. It should be recalled that the very same claims were investigated in 2004 by the International Tribunal for the former Yugoslavia, which concluded that there was no evidence to sustain any of them.

However, as the same matter was brought forward again by the former Senator in 2010, a special investigative task force of the European Union Rule of Law Mission in Kosovo (EULEX) has been entrusted with the investigation. This investigation is under way.

The Republic of Albania, while rejecting allegations brought by Mr. Marty, has continuously expressed its readiness to fully cooperate with the task force of the European Union Rule of Law Mission in Kosovo, in order to clarify them once and for all.

On 6 February 2012, the Foreign Minister of Albania wrote a letter to the President of the Security Council in which he stated, "Mindful of the need for a thorough investigation as the best approach to separating fact from fiction and, trustful of the legitimacy, technical capacity, professionalism and impartiality of EULEX to successfully handle such a delicate exercise, Albania has officially invited EULEX to carry out any investigative activity as may be needed in the territory of Albania." In this regard, "it has agreed to make the necessary legal arrangements, including by enacting legislation if needed, in order to institutionalize the cooperation between the Government and EULEX and create a clear legal framework that will help EULEX fulfil its mandate". Indeed, on 11 May 2012, the parliament of Albania adopted a special law providing the EULEX task force with unprecedented access to conduct investigations throughout the territory of the Republic of Albania, and the head of the task force has since visited Albania twice.

The Republic of Albania has continuously attached great importance to relations with its neighbours as the best investment for a common future based on cooperation and friendship.

Prime Minister Edi Rama, in his statement on 28 September 2013 during the general debate of the sixty-eighth session of the General Assembly, expressed the "firm intention to explore every possibility to initiate a constructive debate, to develop a real dialogue, and foster close cooperation in every possible aspect with each and every country in the region, including, notably, Serbia".

The Republic of Albania is determined to work closely together with all its neighbours towards achieving common goals, including through the European Union integration process, for the enforcement of the principles of democracy and rule of law, aiming at the improvement of the lives of their peoples and the strengthening of peace and stability in the region.